

HB 126 -- FEDERAL WORK AUTHORIZATION PROGRAM

SPONSOR: Brattin

COMMITTEE ACTIONS: Voted "Do Pass" by the Standing Committee on Workforce Standards and Development by a vote of 9 to 0. Voted "Do Pass" by the Select Committee on Labor and Industrial Relations by a vote of 6 to 1.

Currently, a business or employer is prohibited from knowingly employing, hiring for employment, or continuing to employ an unauthorized alien to perform work within the state. This bill specifies that any business entity or employer, whether public or private, is prohibited from those actions and requires the court to order the suspension of all licenses that are held by the business entity for a specified number of days upon a finding of a violation based on if it is the first, second, or third violation.

Currently, only public employers are required to enroll and actively participate in a federal work authorization program. The bill requires all employers and business entities, whether public or private, to enroll and actively participate in a federal work authorization program and imposes stricter penalties on an employer or entity for employing an unauthorized alien. Any costs incurred by the business entity for participating in a federal work authorization program may be deducted from the entity's income or business taxes in this state.

The provisions of the bill will become effective January 1, 2016.

PROPONENTS: Supporters say that certain industries, such as construction, are being decimated by the use of illegal immigrant laborers. Increasing penalties for employers who hire illegal immigrant laborers may cause employers to cease the practice.

Testifying for the bill was Representative Brattin.

OPPONENTS: Those who oppose the bill say that for small employers who do not hire a lot of employees, the mandatory use of E-Verify would be cost-prohibitive. Mandated use of E-Verify could cause some employers to dismiss or reject certain job applicants with foreign-sounding names to avoid having to use the system.

Testifying against the bill were Associated Industries of Missouri; ACLU of Missouri; Missouri Immigrant and Refugee Advocates; Missouri Society of CPAs; and Missouri Chamber of Commerce and Industry.

OTHERS: Others testifying on the bill say that as long as their

concerns regarding training, safety, and misclassification of employees are handled during the perfection process, they have no objections.

Testifying on the bill was Missouri AFL-CIO.